

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1932

To amend the Public Health Service Act to prohibit governmental discrimination in the training and licensing of health professionals on the basis of the refusal to undergo or provide training in the performance of induced abortions, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 1995

Mr. HOEKSTRA (for himself, Mr. COBURN, Mr. WELDON of Florida, Mr. VOLKMER, Mr. LAFALCE, and Mr. CANADY of Florida) introduced the following bill; which was referred to the Committee on Commerce

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## A BILL

To amend the Public Health Service Act to prohibit governmental discrimination in the training and licensing of health professionals on the basis of the refusal to undergo or provide training in the performance of induced abortions, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Medical Training Non-  
5       discrimination Act of 1995”.

1 **SEC. 2. ESTABLISHMENT OF PROHIBITION AGAINST ABOR-**  
2 **TION-RELATED DISCRIMINATION IN TRAIN-**  
3 **ING AND LICENSING OF PHYSICIANS.**

4 Part B of title II of the Public Health Service Act  
5 (42 U.S.C. 238 et seq.) is amended by adding at the end  
6 the following section:

7 “ABORTION-RELATED DISCRIMINATION IN GOVERN-  
8 MENTAL ACTIVITIES REGARDING TRAINING AND LI-  
9 CENSING OF PHYSICIANS

10 “SEC. 245. (a) IN GENERAL.—The Federal Govern-  
11 ment, and any State that receives Federal financial assist-  
12 ance, may not subject any health care entity to discrimina-  
13 tion on the basis that—

14 “(1) the entity refuses to undergo training in  
15 the performance of induced abortions, to provide  
16 such training, to perform such abortions, or to pro-  
17 vide referrals for such abortions;

18 “(2) the entity refuses to make arrangements  
19 for any of the activities specified in paragraph (1);  
20 or

21 “(3) the entity attends (or attended) a post-  
22 graduate physician training program, or any other  
23 program of training in the health professions, that  
24 does not (or did not) require or provide training in  
25 the performance of induced abortions, or make ar-  
26 rangements for the provision of such training.

1       “(b) ACCREDITATION OF POSTGRADUATE PHYSICIAN  
2 TRAINING PROGRAMS.—

3           “(1) IN GENERAL.—With respect to the govern-  
4 ment involved, restrictions under subsection (a) in-  
5 clude the restriction that, in granting a legal status  
6 to a health care entity (including a license or certifi-  
7 cate), or in providing to the entity financial assist-  
8 ance, a service, or another benefit, the government  
9 may not require that the entity be an accredited  
10 postgraduate physician training program, or that the  
11 entity have completed or be attending such a pro-  
12 gram, if the applicable standards for accreditation of  
13 the program include the standard that the program  
14 must require or provide training in the performance  
15 of induced abortions, or make arrangements for the  
16 provision of such training.

17           “(2) RULE OF CONSTRUCTION.—With respect  
18 to subclauses (I) and (II) of section 705(a)(2)(B)(i)  
19 (relating to a program of insured loans for training  
20 in the health professions), the requirements in such  
21 subclauses regarding accredited internship or resi-  
22 dency programs are subject to paragraph (1) of this  
23 subsection.

24       “(c) DEFINITIONS.—For purposes of this section:

1           “(1) The term ‘financial assistance’, with re-  
2           spect to a government program, includes govern-  
3           mental payments provided as reimbursement for car-  
4           rying out health-related activities.

5           “(2) The term ‘health care entity’ includes an  
6           individual physician, a postgraduate physician train-  
7           ing program, and a participant in a program of  
8           training in the health professions.

9           “(3) The term ‘postgraduate physician training  
10          program’ includes a residency training program.”.

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